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MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001			EXAMINER SINGH, RACHNA	
			ART UNIT 2176	PAPER NUMBER

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/704,066

Applicant(s)

KREIDER ET AL.

Examiner

Rachna Singh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 28-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected. WFS
- 7) ☐ Claim(s) 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Application filed 12/21/04.
2. Claims 1-~~27~~^{30 wfb} are pending. Claims 1, 12, and 21 are independent claims. Claims 28-30 are newly added claims.

Election/Restrictions

3. Group I of the following inventions has been elected as required under 35 U.S.C. 121:

- I. Claims 1-27, drawn to performing a process that implements operations via dynamically linked operational-objects by linking a plurality of pages defined in mark-up language that are executable by a browser, classified in class 715, subclass 513.
- II. Claims 28-30, drawn to an Automated Teller Machine and relaying commands to the mechanical systems, classified in class 705, subclass 43.

The inventions are distinct, each from the other because of the following reasons:

Newly submitted claims 28-30 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claims 28-30 are directed to an Automated Teller Machine and relaying commands to the mechanical systems classified in class 705/43 whereas the originally submitted claims, 1-27 are directed to performing a process that implements operations via dynamically linked operational-objects by linking a plurality of pages defined in mark-up language that are executable by a browser, classified in class 715/513.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. Newly submitted claims 28-30 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claims 28-30 are directed to an Automated Teller Machine and relaying commands to the mechanical systems classified in class 705/43 whereas the originally submitted claims, 1-27 are directed to performing a process that implements operations via dynamically linked operational-objects by linking a plurality of pages defined in mark-up language that are executable by a browser, classified in class 715/513.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 28-30 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03. The election is deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima et al., US 6,381,507 B1, Apr. 30, 2002 (filed 5/31/00).

In reference to claim 1, Shima teaches a command pass-through functionality.

Shima's system comprises the following:

-An intelligent controller that communicates with a panel subunit of a target device and inquires about various types of controls. The controller generates on its display, a human interface based on these control object descriptions, and when a user manipulates the interface, the controller sends special user events to the target device.

See column 6, lines 1-45 and figure 2. Compare to ***"said processing means . . . via dynamically linked operational objects called by control objects, such that events are returned back to a calling control object"***.

-A user interface implemented within the intelligent controller that is coupled within a networked system and has basic input and display capabilities. See figure 2 and column 8, lines 14-36. Compare to ***"a plurality of pages are defined in a mark-up language that are selectively displayed and executed by a controlled browser"***.

-The intelligent controller provides a user interface for controlling events on another, remote, target device within the network. The controller communicates with the display device and input device. The panel subunit with which the controller communicates, uses control objects stored in an object descriptor list to define the physical controls of the target device. The control objects are defined with several standard types of controls and displays that are found on electronic devices (buttons, dials, values). The panel subunit defines a set of commands which are to be applied to the controls. The commands apply to most types of controls. See column 3, lines 20-35. Compare to ***"said controlled browser is controlled by a controlling container object; active***

control objects for calling said operational objects are contained within said container object”

-A panel subunit configured to receive a pass-through command code in addition to user-interaction commands. Compare to ***“a single pass-through object is created; at least one of said pages includes a page embedded control object configured to call said pass-through object;”***

-The pass-through command is received in addition to the user interaction commands. The command pass-through can be used to communicate focus navigation commands to the target such as up/down/left/right. When such command keys are pressed by the user, a pass-through command code is communicated to the target device and the device can update the user interface accordingly. See columns 3-4. Compare to ***“at least on of said pages includes a page embedded control object configured to call said passthrough object. . .an initiating one of . . .passes to said passthrough object output information detailing a desired call to a specified operational object. . .passthrough object interprets output information . . .that in turn calls the desired operational object; and passthrough object receives event data from. . .operational object and returns input data to said initiating embedded object indicative of said returned event.”***

In column 18, lines 25-37 of Shima, “The target device can be a sub panel for an intelligent television which has embedded software that requires user input, e.g., for web surfing or similar tasks.” Shima teaches a pass-through functionality in a display device; however, he does not specifically state that the pages are in markup language

Art Unit: 2176

or displayed in a browser; however, since Shima teaches that a user interface is implemented within the intelligent controller that is coupled within a networked system and has basic input and display capabilities, it would have been obvious to one of ordinary skill in the art at the time of the invention to extend Shima's system to include a "browser" and markup language pages because a browser is a user interface that is able to communicate with the network and receive pages defined by markup languages. See figure 2 and column 8, lines 14-36. Furthermore, Shima teaches that software for web surfing could be implemented within a television sub panel. It was well known in the art at the time of the invention that web surfing would utilize both a browser and pages in markup language, thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to provide pass-through functionality in a display device utilizing a browser and pages in markup language since the intelligent controller could include a web surfing means.

In reference to claims 2 and 3, Shima teaches a "self service terminal" in which a graphical display such as a CRT or LCD is used to display text, video, etc. See column 8, lines 14-67 and figure 2. Shima teaches that the self-service terminal can be any device having a display and input capability such as a PDA, cell phone, etc. This can also include an ATM or device that dispenses money or financial transactions.

In reference to claim 4, Shima teaches that a user interface is implemented within the intelligent controller that is coupled within a networked system and has basic input and display capabilities, it would have been obvious to one of ordinary skill in the art at the time of the invention to extend Shima's system to include a "browser" and

markup language pages because a browser is a user interface that is able to communicate with the network and receive pages defined by markup languages. See figure 2 and column 8, lines 14-36. These markup languages can include HTML.

In reference to claim 5, Shima teaches that the pass-through command is received in addition to the user interaction commands. The command pass-through can be used to communicate focus navigation commands to the target such as up/down/left/right. When such command keys are pressed by the user, a pass-through command code is communicated to the target device and the device can update the user interface accordingly. The passthrough command is executed in the operating system. See figure 2 and columns 3-4.

In reference to claim 6, Shima's system receives a pass through command code in addition to the user interaction command code. The pass through command code is communicated to the target device in conjunction with an action identifier that maps it to a pre-defined target command. Thus only one passthrough object exists at a time.

In reference to claim 7, Shima teaches calling a contained object with different controls and devices wherein the call to the object is made with a decoder. See column 20, lines 1-20.

In reference to claims 8 and 9, Shima's system returns events to the page via a pass-through command. See columns 3-4. The display represents an electronic program guide.

In reference to claims 10 and 11, Shima teaches storing an action list within the controller device and examining the action list when receiving control input.

Claims 12-20 are rejected under the same rationale used above in claims 1 and 4-11 respectively.

In reference to claim 21, Shima teaches a command pass-through functionality. Shima's system comprises the following:

- A panel subunit that uses control objects stored in an object descriptor list to define the physical controls of the target device. The panel subunit defines a set of commands which are to be applied to any of these controls. See column 3, lines 20-35. Compare to ***"establishing a library of dynamically linkable objects . . . such that events are returned back to a calling control object"***.

- An intelligent controller that communicates with a panel subunit of a target device and inquires about various types of controls. The controller generates on its display, a human interface based on these control object descriptions, and when a user manipulates the interface, the controller sends special user events to the target device. See column 6, lines 1-45 and figure 2. A user interface implemented within the intelligent controller that is coupled within a networked system and has basic input and display capabilities. See figure 2 and column 8, lines 14-36. Compare to ***"establishing a library of dynamically linkable objects . . . such that events are returned back to a calling control object. . . establishing the availability of a plurality of pages defined in a mark-up language that may be selectively displayed and executed by a controlled browser, wherein said controlled browser is controlled by a controlling container object"***.

Art Unit: 2176

-The intelligent controller provides a user interface for controlling events on another, remote, target device within the network. The controller communicates with the display device and input device. The panel subunit with which the controller communicates, uses control objects stored in an object descriptor list to define the physical controls of the target device. The control objects are defined with several standard types of controls and displays that are found on electronic devices (buttons, dials, values). The panel subunit defines a set of commands which are to be applied to the controls. The commands apply to most types of controls. See column 3, lines 20-35. Compare to ***“active control objects for controlling operational objects are contained within said container object”***

-A panel subunit configured to receive a pass-through command code in addition to user-interaction commands. Compare to ***“facilitating the establishment of a single pass-through object, wherein pages defined in said markup language include a page embedded control object configured to call said pass-through object;”***

-The pass-through command is received in addition to the user interaction commands. The command pass-through can be used to communicate focus navigation commands to the target such as up/down/left/right. When such command keys are pressed by the user, a pass-through command code is communicated to the target device and the device can update the user interface accordingly. See columns 3-4. Compare to ***“calling said pass through object. . .interpreting said output information. . .returning input information. . .via said passthrough object”***.

In column 18, lines 25-37, Shima recites, "The target device can be a sub panel for an intelligent television which has embedded software that requires user input, e.g., for web surfing or similar tasks." Shima teaches a pass-through functionality in a display device; however, he does not specifically state that the pages are in markup language or displayed in a browser; however, since Shima teaches that a user interface is implemented within the intelligent controller that is coupled within a networked system and has basic input and display capabilities, it would have been obvious to one of ordinary skill in the art at the time of the invention to extend Shima's system to include a "browser" and markup language pages because a browser is a user interface that is able to communicate with the network and receive pages defined by markup languages. See figure 2 and column 8, lines 14-36. Furthermore, Shima teaches that software for web surfing could be implemented within a television sub panel. It was well known in the art at the time of the invention that web surfing would utilize both a browser and pages in markup language, thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to provide pass-through functionality in a display device utilizing a browser and pages in markup language since the intelligent controller could include a web surfing means.

Claims 22-27 are rejected under the same rationale used in claims 6-11 respectively above.

Response to Arguments

7. Applicant's arguments filed 12/24/04 have been fully considered but they are not persuasive.

Applicant argues that "pages in markup language" and the claimed "browser" are not disclosed by Shima. Applicant further asks "how would a browser be added to a television, etc". Examiner directs Applicant to column 18, lines 25-37 of Shima, "The target device can be a sub panel for an intelligent television which has embedded software that requires user input, e.g., for web surfing or similar tasks." Shima teaches a pass-through functionality in a display device; however, he does not specifically state that the pages are in markup language or displayed in a browser; however, since Shima teaches that a user interface is implemented within the intelligent controller that is coupled within a networked system and has basic input and display capabilities, it would have been obvious to one of ordinary skill in the art at the time of the invention to extend Shima's system to include a "browser" and markup language pages because a browser is a user interface that is able to communicate with the network and receive pages defined by markup languages. See figure 2 and column 8, lines 14-36. Furthermore, Shima teaches that software for web surfing could be implemented within a television sub panel. It was well known in the art at the time of the invention that web surfing would utilize both a browser and pages in markup language, thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to provide pass-through functionality in a display device utilizing a browser and pages in markup language since the intelligent controller could include a web surfing means.

Applicant argues that Shima does not disclose self service terminals or terminals with financial transactions. Shima teaches a "self service terminal" in which a graphical display such as a CRT or LCD is used to display text, video, etc. See column 8, lines

Art Unit: 2176

14-67 and figure 2. Shima teaches that the self-service terminal can be any device having a display and input capability such as a PDA, cell phone, etc. This can also include an ATM or device that dispenses money or financial transactions. Any device that can have a display with input capability includes an ATM or service terminal.

In reference to claim 5, Shima teaches that the pass-through command is received in addition to the user interaction commands. The command pass-through can be used to communicate focus navigation commands to the target such as up/down/left/right. When such command keys are pressed by the user, a pass-through command code is communicated to the target device and the device can update the user interface accordingly. The passthrough command is executed in the operating system. See figure 2 and columns 3-4.

With respect to claim 6, Applicant argues Shima does not disclose an examination step to determine whether a passthrough object is already in existence. Shima's system receives a pass through command code in addition to the user interaction command code. The pass through command code is communicated to the target device in conjunction with an action identifier that maps it to a pre-defined target command (up/down/left/right). Only one pass-through command exists at a time.

With respect to claims 8 and 9, Applicant argues Shima does not disclose an "initiating page". Shima discloses pass through commands can be used to communicate focus navigation commands wherein a target device receiving a command could update the user interface of the panel subunit accordingly. More specifically, a target device could transfer an exact image to the device to be displayed.

This is useful when a display representing an electronic program guide is displayed with a predetermined arrangement. With respect to claim 9, Applicant argues maintaining a register of established pages has not been identified. The predetermined arrangement where the image is displayed and rendered is a register of pages.

With respect to claims 10 and 11, Applicant argues Shima does not disclose buffering events to be returned to pages. Shima discloses storing an action list which includes a plurality of action identifiers which can be triggered by selecting objects.

With respect to claim 21, Applicant argues a computer-readable medium is not taught. FIG. 1 illustrates an exemplary networked system of electronic devices including a computer.

In view of the comments and rejections above, Examiner's position is maintained.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2176

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS
05/13/05

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
5/13/2005